

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ROBERT GARZA,

Petitioner,

vs.

DONALD KLEINE, and DOUG
PETERSON,

Respondents.

8:19CV83

MEMORANDUM AND ORDER

This matter is before the court on its own motion. Plaintiff filed a Notice of Appeal ([filing no. 16](#)) on April 27, 2020. However, Plaintiff failed to include the \$505.00 filing and docket fees. Plaintiff has the choice of either submitting the \$505.00 filing and docket fees to the clerk's office or submitting a request to proceed in forma pauperis within 30 days. Plaintiff's appeal cannot be processed until either the appellate filing fee is paid or the question of Plaintiff's authorization to proceed on appeal in forma pauperis is resolved.

IT IS THEREFORE ORDERED that:

1. Plaintiff is directed to submit the \$505.00 fees to the clerk's office or submit a request to proceed in forma pauperis within 30 days.
2. The clerk of the court is directed to send to Plaintiff the Form AO240 ("Application to Proceed Without Prepayment of Fees and Affidavit").
3. The clerk of the court is directed to set a pro se case management deadline in this matter with the following text: **May 28, 2020**: Check for MIFP or payment.

Dated this 28th day of April, 2020.

BY THE COURT:

A handwritten signature in blue ink that reads "Richard G. Kopf". The signature is written in a cursive style with a large, stylized "R" and "K".

Richard G. Kopf
Senior United States District Judge